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# Fax

**To:** Examiner Frank Wei Min Lu  
USPTO  
Art Unit: 1634  
Confirmation No.: 2123

**From:** Peter I. Bernstein, Esq.

**Fax:** (571) 273-8300

**Pages:** 12 (including cover)

**Phone:**

**Date:** August 21, 2007

**Re:** Akira Suyama, et al.  
U.S. Patent Appln. NO. 10/712,715  
Filed: November 13, 2003  
Our Docket: 14683Z

**CC:**

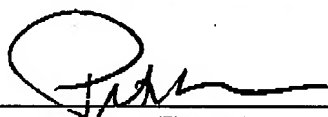
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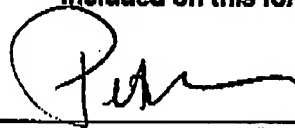
**The following is attached herewith:**

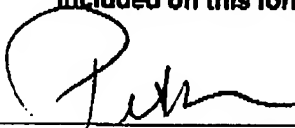
1. Amendment Transmittal (in duplicate)
2. Amendment Under 37 C.F.R. §1.116
3. Certificate of Facsimile dated August 21, 2007

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<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			Docket No. 14683Z
Applicant(s): Akira Suyama, et al.			
Application No. 10/712,715	Filing Date November 13, 2003	Examiner Frank Wei Min Lu	Group Art Unit 1634
Invention: METHOD OF DETECTING NUCLEIC ACID			
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<p>I hereby certify that this <u>Amendment Under 37 C.F.R. 1.116</u> <i>(Identify type of correspondence)</i></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u>)</p> <p>on <u>August 21, 2007</u> <i>(Date)</i></p> <p style="text-align: center;"><u>Peter L. Bernstein</u> <i>(Typed or Printed Name of Person Signing Certificate)</i></p> <p style="text-align: center;"> <i>(Signature)</i></p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>					Docket No. <b>14683Z</b>									
Applicant(s): <b>Akira Suyama, et al.</b>														
Application No. <b>10/712,715</b>	Filing Date <b>November 13, 2003</b>	Examiner <b>Frank Wei Min Lu</b>	Customer No. <b>23389</b>	Group Art Unit <b>1634</b>	Confirmation No. <b>2123</b>									
Invention: <b>METHOD OF DETECTING NUCLEIC ACID</b>				<b>RECEIVED</b> <b>CENTRAL FAX CENTER</b> <b>AUG 21 2007</b>										
<u>COMMISSIONER FOR PATENTS:</u>														
Transmitted herewith is an amendment in the above-identified application.														
The fee has been calculated and is transmitted as shown below.														
<b>CLAIMS AS AMENDED</b>														
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE									
TOTAL CLAIMS	5 -	33 =	0	x \$50.00	\$0.00									
INDEP. CLAIMS	1 -	3 =	0	x \$200.00	\$0.00									
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00									
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>									
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>19-1013/SSMP</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.														
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>														
 Signature			Dated: <b>August 21, 2007</b>											
<b>Peter I. Bernstein</b> <b>Registration No. 43,497</b> <b>Scully, Scott, Murphy &amp; Presser, P.C.</b> <b>400 Garden City Plaza-Site 300</b> <b>Garden City, New York 11530</b> <b>(516) 742-4343</b>			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</td> </tr> <tr> <td colspan="2" style="text-align: center;">(Date)</td> </tr> <tr> <td colspan="2" style="text-align: center;">Signature of Person Mailing Correspondence</td> </tr> <tr> <td colspan="2" style="text-align: center;">Typed or Printed Name of Person Mailing Correspondence</td> </tr> </table>				I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____		(Date)		Signature of Person Mailing Correspondence		Typed or Printed Name of Person Mailing Correspondence	
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cc: <b>PIB/ZY:ab</b>														

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Applicant(s): <b>Akira Suyama, et al.</b>						
Application No. <b>10/712,715</b>	Filing Date <b>November 13, 2003</b>	Examiner <b>Frank Wei Min Lu</b>	Customer No. <b>23389</b>	Group Art Unit <b>1634</b>	Confirmation No. <b>2123</b>	
Invention: <b>METHOD OF DETECTING NUCLEIC ACID</b>						
<b>COMMISSIONER FOR PATENTS:</b>					<b>RECEIVED</b> <b>CENTRAL FAX CENTER</b> <b>AUG 21 2007</b>	
Transmitted herewith is an amendment in the above-identified application.						
The fee has been calculated and is transmitted as shown below:						
<b>CLAIMS AS AMENDED</b>						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	5	33	0	x \$50.00	\$0.00	
INDEP. CLAIMS	1	3	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>19-1013/SSMP</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.						
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>						
 Signature			Dated: <b>August 21, 2007</b>			
<b>Peter I. Bernstein</b> <b>Registration No. 43,497</b> <b>Scully, Scott, Murphy &amp; Presser, P.C.</b> <b>400 Garden City Plaza-Site 300</b> <b>Garden City, New York 11530</b> <b>(516) 742-4343</b>			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence			
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RESPONSE UNDER 37 C.F.R.  
§1.116 EXPEDITED PROCEDURE  
EXAMINING GROUP 1634

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicants:</b>	Akira Suyama, et al.	<b>Examiner:</b>	Frank Wei Min Lu
<b>Serial No:</b>	10/712,715	<b>Art Unit:</b>	1634
<b>Filed:</b>	November 13, 2003	<b>Docket:</b>	14683Z
<b>For:</b>	METHOD OF DETECTING NUCLEIC ACID	<b>Dated:</b>	August 21, 2007

**Confirmation No.:** 2123

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Commissioner for Patents  
P.O. 1450  
Alexandria, VA 22313-1450

**AMENDMENT UNDER 37 C.F.R. § 1.116**

Sir:

In response to the Final Action dated June 1, 2007 and in accordance with the provisions of 37 C.F.R. §1.116, Applicants respectfully request entry of the following amendment in the above-identified case.

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**CERTIFICATION OF FACSIMILE TRANSMISSION**

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Dated: August 21, 2007

  
Peter I. Bernstein

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